

REMARKS

Claims 1 to 61 and 63 are pending in this patent application. No claims have been amended, canceled, or added, herein. Applicants respectfully request reconsideration of the requirement for restriction in view of the following remarks.

Restriction Requirement

The Office requires applicants to restrict the claimed subject matter to one of twenty-eight groups of inventions under 35 U.S.C. §§ 121 and 372, asserting that the claimed subject matter does not relate to a single general inventive concept under PCT Rule 13.1 because it supposedly lacks the same or corresponding special technical feature that defines a contribution over the prior art. Applicants respectfully traverse this restriction requirement because the entirety of the subject matter recited in the present claims is, in fact, so linked as to form a single general inventive concept that defines a contribution over the prior art.

Specifically, the entirety of the subject matter recited in the pending claims involves one or more of the same or corresponding special technical features that are patentably distinct from the prior art. For example, all of the currently pending claims relate to the human PEDF receptor, and this technical feature defines a contribution over the prior art. Although the Office asserts that this is not the case because PCT application publication number WO 01/07628 (“the Tang application”) allegedly anticipates the subject matter of group 1¹, the Tang application fails to describe or suggest the human PEDF receptor. Instead, the Tang application describes synthetases from various species. Contrary to the Office’s assertion, the Tang application therefore fails to anticipate, or even render obvious, the subject matter recited in the pending claims. The entirety of the claimed subject matter therefore relates to a single general inventive concept that defines a contribution over the prior art, and restriction of the claimed subject matter is therefore improper. Nevertheless, in accordance with 37 C.F.R. § 1.499, applicants hereby provisionally elect the subject matter of group II for prosecution on the merits, directed to a

¹ Office action dated March 24, 2011, page 4.

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polynucleotide comprising SEQ ID NO:2, and encompassing claims 1, 6, 8, 10, 12, 14 to 22, 24 to 26, and 53.

Conclusion

Applicants believe that the foregoing constitutes a complete and full response to the official action of record. Accordingly, an early and favorable action is respectfully requested.

Respectfully submitted,

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